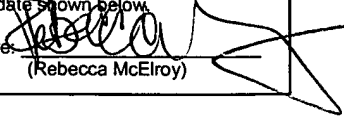




I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 9, 2004

Signature: 
(Rebecca McElroy)

Docket No.: 246152014500
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Peter Jan Leonard Mario QUAEDFLIEG et al.

Confirmation No. 9816

Application No.: 09/869,088

Group Art Unit: 1626

Filed: (Int'l) December 17, 1999

Examiner: R. Shiao

For: PROCESS FOR THE PREPARATION OF
COMPOUNDS WITH ENHANCED OPTICAL
PURITY

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to an Office action herein mailed 9 August 2004 for which the time for response is set to expire 9 September 2004. A petition for a two-month extension of time is enclosed herewith. Therefore, this response is timely filed.

Applicants hereby elect to prosecute the invention of Group I (claims 1 and 6-11) drawn to a process of making a compound of formula (1) of claim 1, wherein the variables R1, R2, and Y are as defined in claim 1, for continued examination. The Applicants provisionally elect the species of Example 1, in Table 1 at page 14 of the specification, N-formyl-phenylglycine, for search purposes.

This response to the restriction requirement is made with traverse. Nonelected claims will be canceled when appropriate. Applicants expressly reserve their right under 35 U.S.C. § 121